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09/816,385	03/26/2001	Yoshiaki Komatsu	108634	7847

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EXAMINER

PATEL, SHEFALI D

ART UNIT PAPER NUMBER

2621

DATE MAILED: 03/26/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/816,385

Applicant(s)

KOMATSU, YOSHIKI

Examiner

Shefali D Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 13-25 is/are rejected.
- 7) ☒ Claim(s) 11 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 4 is objected to because of the following informalities: claim 4 discloses “an display unit” please change this to “a display unit”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-8, 10, and 13-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Haneda et al. (US 5,698,822) (hereinafter, “Haneda”).

With regard to **claim 1** Haneda discloses a stroke data editing device, for editing stroke data, indicating at least one stroke of a coordinate input device (col. 8 line 65 to col. 9 lines 1-31), comprising: a stroke data storage unit that stores stroke data (See, col. 9 lines 11-15), each piece of the stroke data corresponding to one stroke of the coordinate input device (See, col. 9 lines 23-33); a stroke data retrieving unit that retrieves (See, col. 17 lines 22-32), according to a predetermined condition (predetermined condition is the references from among a plurality of coordinate points outputted from the touch panel at the time of handwriting input, col. 18 lines 1-21), at least one piece of the stroke data from the stroke data storage unit, the retrieved stroke data corresponding to at least one stroke included in a predetermined area (stroke data seen in Figure 13C correspond to the sampled points S1 to S33 and the extracted points Q1 to Q20. See, col. 17 lines 38-47. Also see, col. 39 lines 16-22); and a stroke data editing unit that edits at

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least one piece of the stroke data retrieved by the stroke data retrieving unit on a stroke basis (stroke data is being edited by converting to a size corresponding to the width of the line set in the area after the display position of the cursor. See, col. 18 lines 21-64 and col. 39 lines 27-39).

With regard to **claim 2** Haneda discloses a first selection unit that selects the at least one piece of the stored stroke data to be retrieved by the stroke data retrieving unit according to the predetermined condition (selection unit that selects the angle θ that is larger than the predetermined approximate angle ϕ which determined which piece of the stored stroke data to be retrieved and which to be eliminated. For example, point S2 is omitted and S3 (Q2) is being extracted with S1 (Q1). See, col. 17 lines 48-67).

With regard to **claim 3** Haneda discloses a second selection unit that selects the at least one piece of the retrieved stroke data to be edited by the stroke data editing unit (selecting the width of the line (to have fit the strokes being entered) to display the stroke data in a size corresponding to the width of the line, See, col. 18 lines 26-46).

With regard to **claim 4** Haneda discloses a display unit that makes a display of at least one stroke indicated by the stroke data stored in the stroke data storage unit (See display unit 6 in Figure 1 and col. 9 lines 19-22).

With regard to **claim 5** Haneda discloses an area setting unit that sets the predetermined area, including the at least one stroke, corresponding to the stroke data retrieved by the stroke data retrieving unit (See, col. 10 lines 27-41 and col. 40 lines 4-18).

With regard to **claim 6** Haneda discloses the area setting unit sets the predetermined area, so that the predetermined area includes at least a part of the display made by the display unit (See display area 20 of display unit 6 at col. 10 lines 27-41 and col. 40 lines 4-18).

With regard to **claim 7** Haneda discloses the area setting unit sets the predetermined area, so that the predetermined area corresponds to at least a part of a locatable area on which the coordinate input device is locatable to give the stroke (setting unit sets the predetermined area on the element 20, as discussed above, and the coordinate input device is located within as disclosed at col. 9 lines 19-30 and col. 10 lines 3-15).

With regard to **claim 8** Haneda discloses each piece of the stroke data includes at least one of storage time data indicating a storage time of storing the stroke data into the stroke data storage unit (See, col. 18 lines 23-35), color data indicating a color of the stroke (See, col. 16 lines 15-22), width data indicating a width of the stroke (See, col. 18 lines 44-46), and identification data indicating an identification of the coordinate input device (stroke is being identified as seen in Figure 13C with related to the coordinate data defined from 13A and 13B. See, col. 18 lines 5-21).

With regard to **claim 10** Haneda discloses the predetermined condition is being determined based on the storage time data (See, col. 18 lines 23-35).

With regard to **claim 13** Haneda discloses the predetermined condition is being determined based on the color data (See, col. 16 lines 15-22).

With regard to **claim 14** Haneda discloses the predetermined condition is being determined based on the width data (See, col. 18 lines 44-46).

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With regard to **claim 15** Haneda discloses the predetermined condition is being determined based on the identification data (stroke is being identified as seen in Figure 13C with related to the coordinate data defined from 13A and 13B. See, col. 18 lines 5-21).

With regard to **claim 16** Haneda discloses the stroke data editing device as claimed in claim 15, wherein each piece of the stroke data includes one of a first identification data corresponding to a first stroke type and a second identification data (See, col. 17 lines 48-67) corresponding to a second stroke type (See, col. 18 lines 26-46), the first stroke type giving visual information (the stroke visualizing S1, S2, S3, S4 as seen in Figure 14A), the second stroke type visually dismissing the first stroke (the stroke S1 to S3 dismissing the first stroke S1 to S2 as seen in Figure 14B), and the predetermined condition is that the retrieved stroke data is free from the second identification data (See col. 17 line 48 to col. 18 lines 1-21).

Claim 17 recites identical features as claim 1. Thus, arguments similar to that presented above for claim 1 is equally applicable to claim 17.

Claim 18 recites identical features as claim 2. Thus, arguments similar to that presented above for claim 2 is equally applicable to claim 18.

Claim 19 recites identical features as claim 8. Thus, arguments similar to that presented above for claim 8 is equally applicable to claim 19.

Claim 20 recites identical features as claim 1 except claim 20 is a method claim. Thus, arguments similar to that presented above for claim 1 is equally applicable to claim 20.

Claim 21 recites identical features as claim 2. Thus, arguments similar to that presented above for claim 2 is equally applicable to claim 21.

Claim 22 recites identical features as claim 8. Thus, arguments similar to that presented above for claim 8 is equally applicable to claim 22.

Claim 23 recites identical features as claim 1 except claim 23 is a computer-readable memory claim. Thus, arguments similar to that presented above for claim 1 is equally applicable to claim 23. Applicant's attention is further invited to Figure 1 for a computer medium.

Claim 24 recites identical features as claim 2. Thus, arguments similar to that presented above for claim 2 is equally applicable to claim 24.

Claim 25 recites identical features as claim 8. Thus, arguments similar to that presented above for claim 8 is equally applicable to claim 25.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. ~~Claims 9 are~~^{is} rejected under 35 U.S.C. 103(a) as being unpatentable over Haneda in view of Siegel (US 6,151,611).

With regard to **claim 9** Haneda discloses blank time memory 73 at col. 18 lines 30-35. However, Haneda does not expressly disclose the stroke data storage unit storing the stroke data on time series based on the storage time data and the stroke data retrieving unit retrieves the stroke data on time series based on the storage data. Siegel discloses this at col. 10 lines 58 to col. 11 lines 1-17. Haneda and Siegel are combinable because they are from the same field of

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endeavor, i.e., editing handwritten characters. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Siegel with Haneda. The motivation for doing so is that “the subset of data (e.g., individual stylus strokes, or groups of or portions of them) may be removed from the remaining data based upon their associated relative times, notwithstanding any spatial overlap in spatial coordinates of the data” as suggested by Siegel at col. 2 lines 37-60. Therefore, it would have been obvious to combine Siegel with Haneda to obtain the invention as specified in claim 9.

Allowable Subject Matter

5. Claims 11-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The closest prior art to Haneda and Siegel are directed to a stroke data editing device/method/computer-readable memory as disclosed in independent claims 1, 17, 20, and 23. However, the closest prior art fails to disclose anything about having the first selection unit reading the stroke data stored in the stroke data storage unit successively, and selecting the presently-read stroke data when there is less than a predetermined time difference between the storage times of the presently-read stroke data and the precedently-read stroke data as disclosed in claim 11. Further, the closest prior art fails to disclose the first selection unit specifies a first boundary stroke data and a second boundary stroke data among the stroke data stored in the stroke data storage unit, and selects the stroke data so that every storage time of the selected stroke data inclusively falls between the storage times of the first and the second boundary stroke

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data as disclosed in claim 12. It is for these reasons in combination with all the other elements of the claim that claims 11-12 would be allowable if rewritten in independent form including all of the limitation of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 4,241,340; US 5,511,135; US 5,930,380; US 6,055,332; US 6,373,473.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shefali D Patel whose telephone number is 703-306-4182. The examiner can normally be reached on M-F 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo H Boudreau can be reached on 703-305-4706. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DANIEL MARIAM
PRIMARY EXAMINER

Shefali D Patel
Examiner
Art Unit 2621

March 10, 2004